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IBM CORPORATION INTELLECTUAL PROPERTY LAW 11501 BURNET ROAD AUSTIN, TX 78758			NGUYEN, DUSTIN	
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* TIMOTHY ALAN DIETZ, WALID M. KOBROSLY and  
NADEEM MALIK

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Appeal 2009-006766  
Application 10/607,585<sup>1</sup>  
Technology Center 2400

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Before JAY P. LUCAS, CAROLYN D. THOMAS, and  
DEBRA K. STEPHENS, *Administrative Patent Judges*.

THOMAS, *Administrative Patent Judge*.

DECISION ON APPEAL<sup>2</sup>

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<sup>1</sup> Application filed June 26, 2003. The real party in interest is International Business Machines Corporation.

<sup>2</sup> The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” (paper delivery mode) or the “NOTIFICATION DATE” (electronic delivery mode) shown on the PTOL-90A cover letter attached to this decision.

## STATEMENT OF THE CASE

Appellants seek our review under 35 U.S.C. § 134 of the Examiner's final decision rejecting claims 1, 6, 8, 13, 21 and 23, which are all the claims remaining in the application, as claims 2-5, 7, 9-12, 14-20, and 22 are cancelled. We have jurisdiction over the appeal under 35 U.S.C. § 6(b).

We REVERSE.

The present invention relates to simplifying cumbersome URLs.

Claim 1 is illustrative:

1. In a World Wide Web (Web) communication network with user access via a plurality of data processor controlled interactive receiving display stations for displaying received web documents accessible from database sources on the Web, a system for simplifying the Uniform Resource Locators (URLs) displayed for each received Web document comprising:

a service provider for accessing Web documents for said receiving display stations responsive to user requests;

remote Web database source servers, responsive to service provider requests including:

apparatus for accessing requested Web documents from said database source, and

apparatus for defining the URLs for said accessed Web documents to include a URL domain section and an automatically generated URL path portion within a database source;

apparatus in said service provider to convert the defined URLs of said accessed Web documents to include a domain section specifying the service provider's domain and a path portion within said service provider's domain simpler and shorter than the defined URL path portion;

apparatus in said service provider for respectively reconvertng said converted URLs back to the defined URLs;

wherein Web document requests directed to said converted URLs will respectively be transmitted through the service provider to remote database sources on the Web; and

apparatus in said service provider for charging a user a fee for activating said apparatus for converting a defined URL.

Appellants appeal the following rejection:

Claims 1, 6, 8, 13, 21, and 23 under 35 U.S.C. § 102(e) as anticipated by Anderson (US Patent Pub. 2003/0182449 A1, Sep. 25 2003).<sup>3</sup>

#### FACTUAL FINDINGS

1. Anderson discloses that “[t]he primary address may be an internet URL address. A secondary address is used formed of an alphanumeric prefix followed by a purely numeric suffix. A remote database server receives the secondary address and stored mapping information that converts this to a primary address. (Abstract.)

2. In Anderson, “[w]eb page providers may advertise and publish the numeric suffixes associated with the secondary address for their web pages.” (¶ [0053].)

3. Anderson discloses that “[t]he alphanumeric prefix 12 is the address of the remote database server 8 . . . . The remote database server 8 uses the numeric suffix 14 to index into a database of mappings between numeric suffixes and primary addresses.” (¶ [0048].)

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<sup>3</sup> In the Advisory Action dated May 15, 2008, the Examiner withdrew the 35 U.S.C. § 101 and § 112 rejections in the Final Office Action mailed February 6, 2008.

## ANALYSIS

### *Common Feature In All Claims*

Our representative claim, claim 1, recites, *inter alia*, “*apparatus in said service provider to convert the defined URLs . . . to include a domain section specifying the service provider’s domain and a path portion within said service provider’s domain.*” Independent claims 8 and 21 recite similar limitations. Thus, the scope of each of the independent claims includes converting, in the service provider, the defined URLs to include a domain section specifying the service provider’s domain and a path portion within the service provider’s domain.

Issue: Did the Examiner err in finding that Anderson discloses converting the defined URLs in the service provider, as set forth in claim 1?

Appellants contend that “[i]n Anderson, the conversion from primary (original) to secondary [URL] is not done in the service provider.” (App. Br. 10) We agree.

Anderson discloses that a secondary address formed of an alphanumeric prefix and a numeric suffix is formed at a mobile device and transmitted to a remote database server where it is converted to a primary internet URL address (FF 1). In other words, Anderson starts with a shorter secondary address and later converts it into a more complex primary address.

However, the question here is “what component” converts the primary address to a secondary (i.e., shorter) address? The Examiner broadly interprets Anderson’s forwarding of a request to the bango server and the

bango server providing a mapping to URL addresses, as the converting of the original URL (*see* Ans. 6-7). We disagree.

While Anderson uses a shorthand version (i.e., secondary address) of the original URL, the Examiner has not shown, and we do not readily find any description in Anderson on how or who converts the primary address to the secondary address. Instead, Anderson merely discloses that *web page providers* may advertise and publish the numeric suffixes that can be used. (FF 2). Thus, the Examiner has not shown that the bango server converts the defined URLs (i.e., the original URLs) to the secondary address. At most, Anderson's web page providers provide the shorthand numeric code (i.e., suffix) of the primary address through published advertisements and Anderson's user device simply adds to the suffix a service provider domain and path portion. However, Anderson's bango server 8, which the Examiner equates to the claimed service provider, merely receives the secondary address and converts/maps it to a primary address. We agree with Appellants that "all that is performed by bango server 8 is [sic] the Appellants' claimed apparatus in the service provider for reconverting the converted URLs back to the original URLs." (Reply Br. 3.)

"[A]nticipation of a claim under § 102 can be found only if the prior art reference discloses every element of the claim . . . ." *In re King*, 801 F.2d 1324, 1326 (Fed. Cir. 1986) (citing *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984)). "[A]bsence from the reference of any claimed element negates anticipation." *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565, 1571 (Fed. Cir. 1986). Here, the Examiner has failed to show how Anderson

discloses a service provider that converts the defined (i.e. original) URLs as claimed.

Since we agree with at least one of the arguments advanced by Appellants, we need not reach the merits of Appellants' other arguments. It follows that Appellants have shown that the Examiner erred in finding Anderson renders claims 1, 6, 8, 13, 21, and 23 unpatentable.

Based on the record before us, we find that the Examiner did err in rejecting claims 1, 6, 8, 13, 21, and 23. Accordingly, we reverse the rejections of claims 1, 6, 8, 13, 21, and 23.

#### DECISION

We reverse the Examiner's § 102(e) rejection.

#### REVERSED

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